

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DAVID BAKER,

Civil No. 05-1042 JNE/SRN

Petitioner,

v.

ORDER

UNITED STATES,

Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated February 13, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241, (Docket No. 1), is DISMISSED for lack of jurisdiction.

DATED: March 6, 2006.

s/ Joan N. Ericksen
Judge Joan N. Ericksen
United States District Court Judge